

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Nancy Cross,

Complainant,

vs.

Comcast Phone of California, LLC,

Defendant.

(ECP)

Case 03-06-004
(Filed June 4, 2003)

OPINION DENYING RELIEF

Summary

Nancy Cross (Complainant) alleges that Comcast Phone of California LLC (Comcast) wrongfully disconnected her telephone service, and she seeks damages of \$1,000. Complainant no longer resides in Comcast's service area but requests that she be allowed reinstatement of service as a customer in good standing if she returns to Comcast's service area. To resolve the complaint Comcast agreed to credit the amount of \$238.68 in dispute to Complainant's account, but stated that its Establishment and Reestablishment of Credit Tariff Rule No. 2.1.6 would apply if Complainant requested service. Thereupon, Complainant requested a ruling on the credit reestablishment issue. The complaint is denied for the reason that Comcast's tariff rules should apply equally to all customers. The proceeding is closed.

Procedural Summary

An evidentiary hearing was held on October 7, 2003, in Fremont. This matter was submitted for decision on November 11, 2003 upon receipt of Comcast's tariff rules regarding credit screening.

Discussion

Complainant would be an "applicant for service" if she moved back into Comcast's service area and requested service; therefore, she would have to comply with Comcast's Tariff Rule No. 2.1.6 – Establishment and Reestablishment of Credit. This tariff rule requires that each applicant for service "shall provide credit information satisfactory to the Company or pay a deposit."

We conclude that Complainant's request for relief should be denied for the reasons that there is no billing dispute remaining, the Commission does not award damages, and there is no reason why Comcast's credit establishment tariff rule should not apply to Complainant if she moves back into Comcast's service area and requests service.

O R D E R

IT IS ORDERED that:

1. The complaint of Nancy Cross is denied.
2. The amount of \$102.24 on deposit with the Commission shall be disbursed to Nancy Cross.
3. This proceeding is closed.

This order is effective today.

Dated _____, at San Francisco, California.